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JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Tuesday - 15 August 1972

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1. [REDACTED] Talked with Wally Johnson, on the staff of the White House, to review developments concerning the Ervin bill amendment to the Civil Rights Commission bill. I advised Johnson that Mr. Maury had been in touch with Representative Richard Poff (R., Va.) and other members of the Judiciary Committee as well as with members of the Judiciary and Post Office and Civil Service Committee staffs. I said that as far as we could tell the situation was still murky regarding action to be taken. I said we understood the Civil Service Commission had written a letter to Chairman Celler but we had not as yet seen a copy. I added that Mr. Poff was going to try to speak with Chairman Celler on our behalf and we might subsequently contact Celler directly. Johnson had no information to contribute except to say that he thought it was unlikely that anything would move on this legislation before Congress recesses for the Republican Convention.

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2. [REDACTED] Talked to Ray Jacobson, Civil Service Commission, who said Chairman Bob Hampton had written Chairman Celler, Judiciary Committee, saying the "Ervin bill" rider to the House Civil Rights bill created "serious problems" and recommending its complete deletion. Jacobson is sending us a copy of Hampton's letter. He suggested we talk to Ken Stallo, Director of Personnel for Justice, and Lou Pellerzi, Assistant Attorney General for Administration, Justice, who CSC has talked with on this problem and who plan to get in touch with Celler.

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3. [REDACTED] Talked to Herb Hoffman, House Judiciary Committee staff, regarding the Ervin bill rider and he felt it might be premature for me to see Chairman Celler at this time.

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4. [REDACTED] Representative Dick Poff (R., Va.) called regarding the Ervin bill matter and I asked his advice about approaching Chairman Celler, Judiciary Committee, directly. Poff said he would raise the matter with Celler and let me know the results.

Poff later called to say that he had talked with Celler and concluded that from the Agency's standpoint it would be best for us to oppose the Ervin bill rider as a whole, rather than seek a specific exemption for the Agency. I mentioned Chief Justice Burger's statement quoted in today's press about how the judicial system was overloaded. I said this would seem a good argument against the additional burdens which the Ervin bill would impose. Poff fully agreed. Poff thought our next step might be a letter from the Director to Chairman Celler saying that the Ervin bill rider raised certain problems for the Agency and we would welcome an opportunity for an Agency representative to explain our situation to the Chairman at his convenience. Poff thought there was no great urgency about the matter.

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5. [REDACTED] Accompanied Harold Brownman, [REDACTED] 25X1 [REDACTED] of OSP, and Colonel Norbert Walecka, of DOD, who briefed Messrs. Bill Woodruff and Ralph Preston, Senate and House Appropriations Committees staff, on a sensitive Agency project. See Memorandum for the Record.

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6. [REDACTED] Discussed with Bill Woodruff, Counsel, Senate Appropriations Committee, the possibility of the Director meeting with Senator McClellan regarding a number of sensitive projects about which the Senator had expressed to Woodruff some concern. Woodruff said he thought there was no hurry about this but we should expect the Senator to bring them up when he has a formal Agency briefing which he hopes to have soon after Labor Day.

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7. [REDACTED] Discussed with Ralph Preston, House Appropriations Committee staff, the problem of Dr. Hall's report to the Committee on tactical intelligence. Preston said they had completed markup of the Defense Appropriations bill so the issue was dormant for the rest of this year. However, he said the Committee had not forgotten their displeasure with the way the matter was handled and would undoubtedly bring it up next year.

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14. [redacted] In the absence of Mr. Maury, spoke with Paul Woodard, Department of Justice, concerning the Ervin bill rider to H.R. 12652, explaining to him that Wally Johnson in the White House had referred him to us. He said that Justice had not been particularly active on the Hill but had been deferring to the Civil Service Commission, citing Hampton's letter to Chairman Celler. He also said that Representative Poff would be an excellent advocate for us with Chairman Celler and that the House possibly may delete Title II and send the bill back to the Senate. Woodard, explaining that he had good contacts with Senator Ervin's office as a former Chief Counsel of Ervin's Constitutional Rights Subcommittee, promised to make inquiries on our behalf and let us know the outcome.

I mentioned that Chief Justice Burger's and Assistant Attorney General Peterson's remarks Monday before the American Bar Association in San Francisco seem to strongly argue against legislation, such as the Ervin rider, increasing the case load of the already overburdened Federal court system. I reminded him that the Judicial Conference had previously taken a position against the Ervin bill because it would permit the filing of a suit before the exhaustion of administrative remedies and suggested that it might be timely and effective if Justice and the Judicial Conference made their views known to Chairman Celler and others, and he agreed.

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[redacted]
JOHN M. MAURY
Legislative Counsel

cc:
O/DDCI

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[redacted]
Mr. Evans
Mr. Houston
Mr. Thuermer

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4. [redacted] Judy Spahr, Senate Subcommittee on National Security and International Operations staff, called about a mixup in their FBIS subscriptions. They are receiving two copies of the People's Republic of China Area Book but no copies of the White Book. FBIS was advised and will take care of this.

Miss Spahr also asked for a copy of the first half of Sadat 27 July speech saying they had received the second half of it and would now like to have the first half. FBIS is sending this to us.

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5. [redacted] Hand-carried to David Martin, Senate Internal Security Subcommittee staff, the map he had requested from Jim Ludlum showing Communist controlled areas in Southeast Asia, the China road near Muong Sing, and the areas involving opium trade. I reminded Martin this was a classified map. When he said he had seen something similar in the newspaper, I told him I understood there had been a map in the New York Times and if he wished to use that of course that was up to him.

I mentioned to Martin that [redacted] had been expecting some material from him yesterday which he still had not received. Martin said he would not have a draft of the testimony to be given by General Walt to the Subcommittee on Monday before noon tomorrow. I told him [redacted] was extremely busy and I didn't know what he would be able to do in this time frame, but we would wait to hear from him (Martin) tomorrow.

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6. [redacted] Met with Representative Ed Hutchinson (R., Mich.) whom I briefed on our concern regarding the Ervin bill rider to the House Civil Rights extension bill (H. R. 12652). Hutchinson appeared generally sympathetic with our problem but pointed out that if the issue reached the floor, we would probably lose in view of the prevailing sentiment in the House. He suggested that I talk with Representatives Brooks (D., Tex.), McCulloch (R., Ohio), and McClory (R., Ill.), who he believes may be members of the conference committee. He said there were no indications that the bill would move in the immediate future, but he would call me if he obtained any contrary information. I left with him copies of backup material explaining the bill and problems in detail.

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7. [REDACTED] Talked to Herb Hoffman, of the House Judiciary Committee staff, and told him of my conversation with Representative Hutchinson (see above). Hoffman said he was confident that no action would be taken regarding the Ervin bill for several days at least but he would call me promptly if there were any developments.

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8. [REDACTED] Talked to Mr. Colgate Prentice, Deputy Assistant Secretary of State for Congressional Relations (House), who said that he understood Defense had agreed to provide the briefing on dikes and bombing targets in North Vietnam for Representative Paul McCloskey (R., Calif.).

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9. [REDACTED] Talked to Mr. James Wilson, House Science and Astronautics Committee staff, and received from him Chairman Teague's detailed itinerary for the trip starting 17 August for Holland, Soviet Union, Hungary, and France. [REDACTED] FMSAC, has been advised.

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10. [REDACTED] Talked to [REDACTED] OTR, [REDACTED] who told me that Pat Holt, of the Senate Foreign Relations Committee staff, is a longtime friend of [REDACTED] who is heading up the Latin American Seminar, and wanted advice concerning contact with Mr. Holt to speak to the Seminar group. I told [REDACTED] we would have no objection if he wanted to contact him directly.

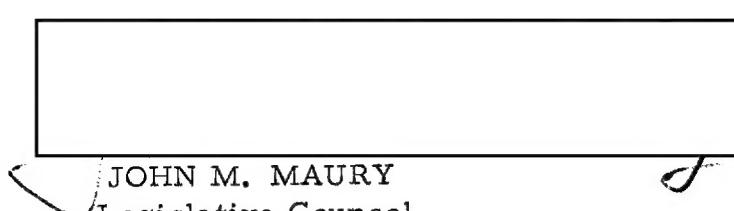
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JOHN M. MAURY
 Legislative Counsel

cc:

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[REDACTED]

[REDACTED]

Mr. Houston

Mr. Thuermer

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